

FERNALD LAW GROUP LLP
BRANDON C. FERNALD (SBN 10582)
brandon.fernald@fernaldlawgroup.com
6236 Laredo Street
Las Vegas, Nevada 89146
Tel: 702.410.7500
Fax: 702.410.7520

Attorneys for Defendant,
CAPITAL ONE BANK (USA), N.A.,
Erroneously Named As "Capital One"

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA – LAS VEGAS**

PATRICIA E. NAVE,

Plaintiff,

V.

CAPITAL ONE, CHASE,
CITIFINANCIAL AUTO, OCWEN
LOAN SERVICING, LLC, SELECT
PORTFOLIO SERVICING, INC., and
EQUIFAX INFORMATION SERVICES,
LLC

Defendants.

Case No. 2:15-cv-02275-JCM-PAL

*Assigned to Judge James C. Mahan
Referred to Magistrate Judge Peggy
A. Leen*

**STIPULATION TO EXTEND
TIME TO RESPOND TO
INITIAL COMPLAINT BY NOT
MORE THAN 30 DAYS**

Complaint Served: 11/19/2015
New Response Date: 12/23/2015

(FIRST REQUEST)

1 Plaintiff Patricia E. Nave, by and through her counsel of record, David H.
2 Krieger, Esq. of Haines & Krieger, LLC, and Defendant Capital One Bank (USA),
3 N.A., sued erroneously as “Capital One” (hereinafter “Capital One”), by and through
4 its counsel of record, Brandon C. Fernald, Esq. of Fernald Law Group LLC, hereby
5 submit this stipulation to extend Capital One’s time to file a responsive pleading, as
6 follows:

7 **WHEREAS:**

8 1. Plaintiff filed the Complaint in this matter in the Eighth Judicial District
9 Court of Nevada on August 5, 2015, and effectuated service of his Summons and
10 Complaint on Capital One on or about November 19, 2015;

11 2. Defendant Select Portfolio Servicing, Inc. filed a Petition of Removal
12 and removed the matter to this Court on December 2, 2015;

13 3. The Parties agree that a brief extension of time for Capital One to file its
14 responsive pleading to the Complaint would benefit both Parties because it will allow
15 them to gather additional facts and information while continuing to devote their
16 resources to exploring the potential for early resolution of this matter before incurring
17 further fees and costs;

18 4. Capital One and Plaintiff have agreed to extend Capital One’s current
19 deadline to respond to Plaintiff’s Complaint by fourteen (14) days to Friday,
20 December 23, 2015;

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 **NOW, THEREFORE, IT IS HEREBY STIPULATED THAT:**

2 Capital One's time to file a responsive pleading to Plaintiff's Complaint is
3 extended to and including December 23, 2015.

4
5 DATED: December 11, 2015

KAZEROUNI LAW GROUP, APC

6
7 By: /s/ Michael Kind
MICHAEL KIND
8 Nevada Bar No. 13903
9 Attorneys for Plaintiff
TOMMY D. DAVIS

10
11 DATED: December 11, 2015

FERNALD LAW GROUP LLP

12
13 By: /s/ Brandon C. Fernald
BRANDON C. FERNALD
14 Nevada Bar No.10582
15 Attorneys for Defendant,
CAPITAL ONE BANK (USA), N.A.

16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

The Court has reviewed the Stipulation filed by Plaintiff Tommy D. Davis and Defendant Capital One Bank (USA), N.A., named as “Capital One” (“Capital One”), to extend Capital One’s time to file a responsive pleading by 14 days. The Stipulation is incorporated herein by reference. Good cause appearing thereon, the Court hereby orders as follows:

Capital One's time to file a responsive pleading to the Complaint is hereby extended. Capital One shall file its responsive pleading to the Complaint on or before December 23, 2015.

IT IS SO ORDERED.

DATED: December 21, 2015


The Honorable Peggy A. Leen
United States Magistrate Judge